

MEMORANDUM

Agenda Item No. 11(A)(7)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: February 20, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution commending the
Florida Legislature for
requiring the use of safety
helmets by children operating
all-terrain vehicles

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Dorrin D. Rolle, Commissioner Jose "Pepe" Diaz and Commissioner Carlos A. Gimenez.



Murray A. Greenberg
County Attorney

MAG/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

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FROM: Murray A. Greenberg
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Please note any items checked.

_____ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Bid waiver requiring County Manager's written recommendation

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

_____ Housekeeping item (no policy decision required)

_____ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(7)
02-20-07

RESOLUTION NO. _____

RESOLUTION COMMENDING THE FLORIDA
LEGISLATURE FOR REQUIRING THE USE OF SAFETY
HELMETS BY CHILDREN OPERATING ALL-TERRAIN
VEHICLES AND URGING THE FLORIDA LEGISLATURE TO
REQUIRE SAFETY HELMETS TO BE USED ON
MOTORIZED SCOOTERS

WHEREAS, Florida law currently requires a bicycle rider or passenger and operator of an all-terrain vehicle who is under the age of 16 to wear a safety helmet, but does not have a similar requirement for riders or passengers of motorized scooters to wear safety helmets; and

WHEREAS, the Center for Disease Control (CDC) estimates that 85 percent of head injuries can be reduced in severity or prevented altogether if helmets are worn; and

WHEREAS, Miami-Dade County took a leadership role related to the use of helmets by children riding scooters when this Board in 2000 passed Ordinance No. 00-150 sponsored by Commissioner Dorrin D. Rolle that required children under 16 to wear a helmet when riding motorized scooters in Miami-Dade County; and

WHEREAS, the Florida Legislature passed an omnibus transportation bill in 2001 that, among other things, required the use of safety helmets by children under the age of 16 on motorized scooters, but the bill was vetoed by the governor; and

WHEREAS, though bills have been filed since 2001, the Florida Legislature has not passed another bill requiring safety helmets on motorized scooters; and

WHEREAS, in 2006, this Board passed a resolution sponsored by Commissioner Rolle that urged the Legislature to require the use of safety helmets on all-terrain vehicles and motorized scooters, R-482-06; and

WHEREAS, during the 2006 state legislative session, the Florida Legislature passed HB 7079 which, among other things, required the use of a safety helmet by persons that are under the age of 16 operating all-terrain vehicles, but did not impose such requirements on persons riding motorized scooters,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Commends the Florida Legislature for requiring the use of safety helmets by children operating all-terrain vehicles during the 2006 session.

Section 2. Urges the Florida Legislature to enact legislation that will require the use of safety helmets on motorized scooters.

Section 3. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Chair and members of the Miami-Dade County State Legislative Delegation.

Section 4. Directs the County's state lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and directs the Office of Intergovernmental Affairs to include this issue in the 2007 state legislative package.

The foregoing resolution was sponsored by Commissioner Dorrin D. Rolle, Commissioner Jose "Pepe" Diaz and Commissioner Carlos A. Gimenez and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairwoman

Jose "Pepe" Diaz
Carlos A. Gimenez
Joe A. Martinez
Dorrin D. Rolle
Katy Sorenson
Sen. Javier D. Souto

Audrey M. Edmonson
Sally A. Heyman
Dennis C. Moss
Natacha Seijas
Rebeca Sosa

The Chairman thereupon declared the resolution duly passed and adopted this 20th day of February, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Jess M. McCarty

